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To: Microsoft ATR
Date: 1/23/02 2:17pm
Subject: Microsoft Settlement

To Whom It May Concern:

I recommend the wholesale rejection of the proposed terms of settlement, and the imposition of a structural remedy.

I've been using Microsoft products since 1982 in various nonprofit, public-interest, computer-related projects. My experience is that Microsoft completely ignored the public interest with respect to their versions of DOS. With the advent of Windows, Microsoft has worked with renewed energy against the public interest, in favor of maximizing its private profit.

With DOS, through version 3.3 as late as 1990, Microsoft failed to include adequate hard-disk partitioning software, failed to include memory-optimization software, and failed to include full-screen navigation software. Third parties provided this software, which ran on top of DOS.

Microsoft soon realized that third-party software was able to provide a better computing experience. Rather than compete with a better product, Microsoft began moving in the direction of disallowing such software. A case in point was the DR DOS situation.

Then with the advent of Windows, Microsoft began offering competing versions of all popular desktop applications. These included spread sheets, word processors, accounting programs, and database programs. Windows was much more exclusionary in terms of the ability of third-party software houses to compete with Microsoft products. Microsoft essentially controlled the interface (the API, or Application Programming Interface) to Windows, and could use this as a club to insure that competing products were inferior, or even nearly impossible to develop.

The Internet was first recognized by Microsoft as a significant development only in 1995. Microsoft then moved in on Netscape with their own knock-off browser, in order to insure that Netscape would be unable to evolve their own APIs for the Internet. According to my logs, Netscape now has about ten percent of the browser market, while Microsoft has 85 percent. It was the other way around just about four or five years ago.

Microsoft has proven again and again that they have nothing but contempt for the public interest. A structural remedy is the only remedy that will address this attitude at the level that it needs to be addressed.

Regards,
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